

FILED: ORANGE COUNTY CLERK 01/10/2020 12:58 PM

NYSCEF DOC. NO. 1

INDEX NO. EF000262-2020

RECEIVED NYSCEF: 01/10/2020

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

SUMMONS

-----X
BRIDGET MONDELLI,

Index No:

Date Filed:

Plaintiff,

Plaintiff designates Orange
County as place of trial.

- against -

WALMART STORES, INC. a/k/a WALMART
CORP., MIDDLETOWN 1 RESOURCES L.P.
and NATIONAL REALTY & DEVELOPMENT
CORP.,

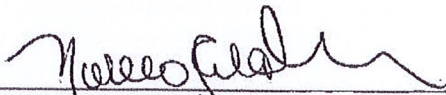
The basis of the venue
is location of accident

Defendants.

-----X
TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Complaint of the Plaintiff, copy of which is served upon you and to serve copies of your Answer on the undersigned attorneys for the Plaintiff within 20 days after the service of this Summons and Complaint, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to answer the Complaint of the Plaintiff, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: January 9, 2020
New Windsor, NY


NOREEN CALDERIN, ESQ.
FORRESTER & CALDERIN PLLC
Attorneys for Plaintiff
3262 Route 9W
New Windsor, NY 12553

TO: Walmart Stores, Inc. a/k/a
Walmart Corp.
702 Southwest 8th Street
Bentonville, Arkansas 72716

✓ Middletown 1 Resources, L.P.
3 Manhattanville Road
Purchase, NY 10577

National Realty & Development Corp.
3 Manhattanville Road
Purchase, NY 10577

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

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BRIDGET MONDELLI,

Plaintiff,

- against -

**VERIFIED
COMPLAINT**

WALMART STORES, INC., a/k/a WALMART
CORP., MIDDLETOWN 1 RESOURCES L.P.,
And NATIONAL REALTY & DEVELOPMENT
CORP.,

Index No:

Defendants.

-----X

Plaintiff, BRIDGET MONDELLI, by her attorneys, FORRESTER & CALDERIN PLLC,
complaining of the Defendants WALMART STORES, INC., a/k/a WALMART CORP.,
MIDDLETOWN 1 RESOURCES L.P. and NATIONAL REALTY & DEVELOPMENT CORP.,
respectfully alleges and shows to this Court as follows:

1. At all times hereinafter mentioned, the Plaintiff was and is a resident of Orange County.
2. Upon information and belief, at all times hereinafter, the Defendant, WALMART STORES, INC., a/k/a WALMART CORP., was a foreign corporation authorized to do business in the State of New York with a principle place of business located at 470 NY-211E, Middletown, New York 10940 and corporate address of 702 Southwest 8th Street, Bentonville, Arkansas 72716.
3. Upon information and belief, at all times hereinafter, the Defendant WALMART STORES, INC., a/k/a WALMART CORP. was and is a domestic limited liability company authorized to do business in the State of New York within the County of Orange with a principle place of business located at 470 NY-211E, Middletown, New York 10940.
4. Upon information and belief, at all times hereinafter, the Defendant, MIDDLETOWN 1 RESOURCES L.P. was and is a domestic limited liability company authorized to do business in the State of New York within the County of Orange with a principle place of business located at 2 Manhattanville Road, Purchase, NY 10577.

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5. Upon information and belief, at all times hereinafter, the Defendant, NATIONAL REALTY & DEVELOPMENT CORP., was and is a domestic limited liability company authorized to do business in the State of New York within the County of Orange with a principle place of business located at 2 Manhattanville Road, Purchase, NY 10577.

6. Upon information and belief, at all times pertinent hereto, the Defendant WALMART STORES, INC., a/k/a WALMART CORP., owned, managed, maintained, controlled and inspected the premises located at 470 NY-211E, County of Orange, State of New York.

7. Upon information and belief, at all times hereinafter, the Defendant WALMART STORES, INC., a/k/a WALMART CORP., had the care and control of the parking lot in and around the premises located at 470 NY-211E, Middletown, County of Orange, State of New York.

8. Upon information and belief, at all times hereinafter, it was the duty of the Defendant, WALMART STORES, INC., a/k/a WALMART CORP., its agents, servants and/or employees to maintain the premises and parking lot, etc. in and around the aforesaid premises.

9. Upon information and belief, at all times pertinent hereto, the Defendant MIDDLETOWN 1 RESOURCES, L.P., owned, managed, maintained, controlled and inspected the premises located at 470 NY-211E, County of Orange, State of New York.

10. Upon information and belief, at all times hereinafter, the Defendant MIDDLETOWN 1 RESOURCES, L.P., had the care and control of the parking lot in and around the premises located at 470 NY-211E, Middletown, County of Orange, State of New York.

11. Upon information and belief, at all times hereinafter, it was the duty of the Defendant, MIDDLETOWN 1 RESOURCES, L.P., its agents, servants and/or employees to maintain the premises and parking lot, etc. in and around the aforesaid premises.

12. Upon information and belief, at all times pertinent hereto, the Defendant NATIONAL REALTY & DEVELOPMENT CORP., owned, managed, maintained, controlled and inspected the premises located at 470 NY-211E, County of Orange, State of New York.

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13. Upon information and belief, at all times hereinafter, the Defendant NATIONAL REALTY & DEVELOPMENT CORP., had the care and control of the parking lot in and around the premises located at 470 NY-211E, Middletown, County of Orange, State of New York.

14. Upon information and belief, at all times hereinafter, it was the duty of the Defendant, NATIONAL REALTY & DEVELOPMENT CORP., its agents, servants and/or employees to maintain the premises and parking lot, etc. in and around the aforesaid premises.

15. At all times hereinafter, the Plaintiff, BRIDGET MONDELLI, was lawfully on the premises of 470 NY-211E, Middletown, County of Orange, State of New York.

16. At all times hereinafter mentioned, the parking lot at the aforementioned location was the site of the within accident.

17. On December 28, 2017, the Plaintiff slipped and fell at the business located at the aforementioned location on a dangerous condition causing her to fall to the ground and sustain severe and personal injuries.

18. The Defendants, their agents, servants, and/or employees were negligent, wanton reckless and careless, among other things by disregarding their duties, negligently and carelessly permitted the parking lot of the aforesaid premises to fall become and remain in an unsafe and dangerous condition, and maintained it improperly and dangerously; in allowing and permitting a falling hazard to exist at the aforesaid premises; in failing to correct and/or remedy the aforesaid conditions; in failing to inspect the aforesaid premises; in improperly and negligently maintaining, inspecting and/or repairing the aforementioned premises; in allowing the premises to remain in a dangerous and unsafe condition to persons legally upon same; in failing to observe that degree of caution, prudence and care which was reasonable and proper so as to avoid the contingency which occurred herein; in failing to warn the public, and plaintiff in particular, of the dangerous conditions that existed; in failing to properly remove the ice; in failing to use proper signage; in having no signs; in failing to correct and/or remedy the aforesaid condition; failing to take any measures to

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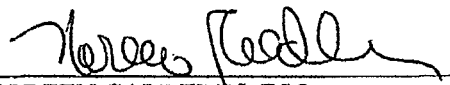
prevent ice and ice accumulation and/or thaw and refreeze; and in other ways were negligent, wanton and reckless.

19. By reason of the fully described negligence of the Defendants, the Plaintiff was severely and permanently injured which render her sick, sore and labeled disabled. The Plaintiff continues to suffer grievous pain and injuries that will continue to suffer.

20. By reason of the foregoing the Plaintiff has damages in a sum which exceeds the jurisdictional limitations of all lower courts of the State of New York.

WHEREFORE, Plaintiff prays that they be awarded a judgment against Defendants, in an amount to be determined by a jury; together with the costs and disbursements of this action, and for such other and further relief as to this Court may deem just and proper.

Dated: January 9, 2020
New Windsor, New York



NOREEN CALDERIN, ESQ.
Forrester & Calderin PLLC
3262 Route 9W
New Windsor, New York 12553
(845) 562-7570

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VERIFICATION

STATE OF NEW YORK)
)
COUNTY OF ORANGE)

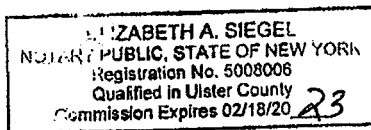
BRIDGET MONDELLI, being duly sworn, deposes and says:

That I am the Plaintiff in the within action; that I have read the annexed Summons and Verified Complaint and know the contents thereof; that the same is true to my own knowledge, except to those allegations which are stated upon information and belief, and as to those matters, I believe them to be true.

Bridget Mondelli
BRIDGET MONDELLI

Sworn to before me this
9th day of January, 2020

Elizabeth A. Siegel
Notary Public



UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

IN RE: THE EVIDENCE OF THE FBI

UNITED STATES OF AMERICA, Plaintiff,
vs.
JOHN EDGAR HOOVER, Defendant.

UNITED STATES DISTRICT COURT

Washington, D.C.

Presented

WALTER W. BENTLEY, JR.

UNITED STATES

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT
UNITED STATES DISTRICT COURT
UNITED STATES DISTRICT COURT
UNITED STATES DISTRICT COURT
UNITED STATES DISTRICT COURT

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

SUMMONS

*Served on
Richard K. Allen
1/17/20*

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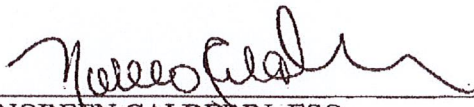
The basis of the venue
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Dated: January 9, 2020
New Windsor, NY


NOREEN CALDERIN, ESQ.
FORRESTER & CALDERIN PLLC
Attorneys for Plaintiff
3262 Route 9W
New Windsor, NY 12553

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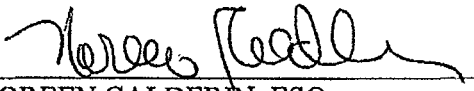
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Forrester & Calderin PLLC
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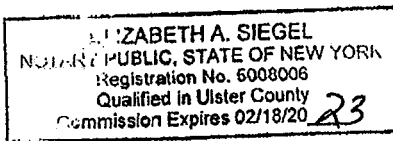
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Bridget Mondelli
 BRIDGET MONDELLI

Sworn to before me this
 9th day of January, 2020

Elizabeth A. Siegel
 Notary Public



REKORDEN VON DER 13

DISCUSSION

WILLIAM R. FURBER, CHAIRMAN

Discussion

FUNCTIONS AND COMPLAINT

[illegible]

Parsons & Company, Inc.
General Contractors
1000 West 10th Street, Suite 1000
Denver, CO 80202
Tel: 303.733.1111
Fax: 303.733.1112